



October 30, 2024

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Honorable Valerie Figueredo
 Daniel Patrick Moynihan
 United States Courthouse, S.D.N.Y.
 500 Pearl Street
 New York, NY 10007

Re: *Coach IP Holdings, LLC, Coach Services, Inc., and Tapestry, Inc., v. ACS Group Acquisitions LLC, et al., 1:23-cv-10612: Joint Request to Modify the Civil Case Management Plan and Scheduling Order*

Dear Judge Figueredo:

Counsel for Coach IP Holdings, LLC, Coach Services, Inc., and Tapestry, Inc. (collectively, “Coach”), for Vinci Brands LLC (“Vinci”), for ACS Group Acquisitions LLC (“ACS”), and for Case-Mate, Inc. (“Case-Mate”) jointly ask the Court to schedule a Pre-Motion Conference to amend the Civil Case Management Plan and Scheduling Order in the above-captioned case [ECF No. 83], to extend certain fact and expert discovery deadlines.¹ All Parties consent to the relief sought herein, and no party will be prejudiced thereby.

In the Court’s Civil Case Management Plan and Scheduling Order, the Parties noted “additional time beyond the presumptive period is warranted to complete fact discovery due to the parties’ and their counsels’ involvement in related cases before Judge Schofield—*Vinci Brands LLC v. Coach Services, Inc.*, 1:23-cv-5138 and *Kate Spade LLC v. Vinci Brands, LLC*, 1:23-cv-5409—which is consuming significant time and resources.” [ECF No. 83]. Accordingly, the Parties proposed the following schedule to govern fact discovery in this action, [ECF No. 79, p. 3]:

- All fact discovery shall be completed no later than November 1, 2024;
- Initial requests for production of documents pursuant to Fed. R. Civ. P. 34 shall be served by June 24, 2024;
- Responsive documents shall be produced by August 9, 2024;
- Interrogatories pursuant to Fed. R. Civ. P. 33 shall be served by June 28, 2024 with contention interrogatories by August 30, 2024 pursuant to Local Rule 33;
- Depositions pursuant to Fed. R. Civ. P. 30, 31 shall be completed by November 1, 2024; and,
- Requests to admit pursuant to Fed. R. Civ. P. 36 shall be served by June 28, 2024.

In addition, the parties proposed the following deadlines for expert discovery, [*id.* at 4]:

¹ On October 23, 2024, Coach filed its Second Amended Complaint against ACS, Vinci, Onward Brands LLC, Charles Tebele, and Sam “Sonny” Haddad. Onward Brands LLC, Charles Tebele, and Sam “Sonny” Haddad also join in the Parties’ request, and consent to the relief sought herein.

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- Expert discovery shall be completed no later than December 13, 2024; and,
- The parties shall meet and confer on a schedule for expert disclosures, including reports, production of underlying documents and depositions by September 6, 2024.

The Court approved of the discovery plan and implemented it in its Civil Case Management Plan and Scheduling Order on April 19, 2024. [ECF No. 83].

Separately, on June 24, 2024, the Parties submitted their [Proposed] Stipulation and Confidentiality Agreement and Order and Stipulated Electronically Stored Information Protocol. [ECF No. 104]. In the Joint Stipulated Electronically Stored Information Protocol, the Parties acknowledged by stipulation that “there is some overlap between this case and the related cases *Vinci Brands LLC v. Coach Services, Inc., et al.*, Case No. 1:23-cv-5138 (the ‘Vinci Action’), and *Kate Spade LLC v. Vinci Brands, LLC*, Case No. 1:23-cv-5409 (the ‘KSNY Action’), which are both pending in this Court.” Specifically, the Parties agreed that “(a) they may use documents produced and discovery adduced in the Vinci Action and the KSNY Action in this case; (b) they do not need to reproduce documents in this case that they have already produced in the Vinci Action or the KSNY Action; and (c) they will make good faith efforts to target discovery in this case at issues unique to this case and to avoid pursuing discovery in this case that is duplicative of discovery that they already obtained in the Vinci Action and/or the KSNY Action.” The Court entered its Stipulation and Confidentiality Agreement and Order and Stipulated Electronically Stored Information Protocol (the “ESI Order”) on June 25, 2024. [ECF No. 106].

Since the date the Court entered both the Civil Case Management Plan and Scheduling Order and ESI Order, the fact discovery period in the KSNY Action and Vinci Action has been extended by this Court through January 31, 2025. [KSNY Action, ECF No. 371; Vinci Action, ECF No. 511]. As this Court is aware, the Parties have already, and are in the middle of, conducting extensive fact discovery in the KSNY/Vinci Actions, which includes additional written discovery, document productions, and the preparation for a significant number of depositions. [See e.g., KSNY Action, ECF No. 370; Vinci Action, ECF No. 510]. In order to accommodate the Parties’ and counsels’ schedules and the discovery efforts in the KSNY and Vinci Actions, as well as permitting the Parties to use “documents produced and discovery adduced in the Vinci Action and the KSNY Action in this case” as contemplated by the ESI Order, the Parties request the Court modify its Civil Case Management Plan and Scheduling Order to adjust the discovery schedules as follows:

- All fact discovery shall be completed no later than **May 30, 2025**;
- Responsive documents shall be produced by **March 5, 2025**;
- Interrogatories pursuant to Fed. R. Civ. P. 33 shall be served by **February 7, 2025** with contention interrogatories by **April 30, 2025** pursuant to Local Rule 33;
- Depositions pursuant to Fed. R. Civ. P. 30, 31 shall be completed by **May 30, 2025**;
- Requests to admit pursuant to Fed. R. Civ. P. 36 shall be served by **February 7, 2025**;
- Expert discovery shall be completed no later than **July 11, 2025**;
- The parties shall meet and confer on a schedule for expert disclosures, including reports, production of underlying documents and depositions by **April 4, 2025**; and,
- By **June 14, 2025**, the parties shall submit a joint status letter, as outlined in Individual Rule III.D.3 and, in the event that they have not already been referred for settlement discussions, shall advise the Court whether or not they request a referral for settlement discussions.

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While the Parties have exchanged written discovery, and made initial document productions, additional time to complete fact and expert discovery is necessary to adequately address this specific action. For these reasons, the Parties request the Court modify its Civil Case Management Plan and Scheduling Order. This is the Parties' first request for an extension of the discovery period.

MEMO ENDORSED



HON. VALERIE FIGUEREDO
UNITED STATES MAGISTRATE JUDGE

Dated: 10/31/24

The parties' proposed discovery schedule is hereby adopted.

- All fact discovery shall be by May 30, 2025;
- Responsive documents shall be produced by March 5, 2025;
- Interrogatories pursuant to Fed. R. Civ. P. 33 shall be served by February 7, 2025 with contention interrogatories by April 30, 2025 pursuant to Local Rule 33;
- Depositions pursuant to Fed. R. Civ. P. 30, 31 shall be completed by May 30, 2025;
- Requests to admit pursuant to Fed. R. Civ. P. 36 shall be served by February 7, 2025;
- Expert discovery shall be completed no later than July 11, 2025;
- The parties shall meet and confer on a schedule for expert disclosures, including reports, production of underlying documents and depositions by April 4, 2025; and,
- By June 14, 2025, the parties shall submit a joint status letter, as outlined in Individual Rule III. D.3 and, in the event that they have not already been referred for settlement discussions, shall advise the Court whether or not they request a referral for settlement discussions.

The Clerk of Court is respectfully directed to terminate the motion at ECF No. 168.

Respectfully submitted,

/s/ Timothy R. Beyer

One of the counsel for Coach IP Holdings, LLC, Coach Services, Inc., and Tapestry, Inc.

/s/ Lainie E. Cohen

One of the counsel for ACS Group Acquisitions LLC

/s/ James E. von der Heydt

One of the counsel for Vinci Brands LLC and Onward Brands LLC

/s/ Lyndsey A. Stults

One of the counsel for Case-Mate, Inc.

/s/ James T. Reilly

One of the counsel for Charles Tebele and Sam Haddad